

Parks & Recreation Council

**LOCATION: Auburn Heights Preserve
3000 Yorkln Road
Yorklyn, DE**

**Thursday, May 5, 2016
9:30 a.m.**

Council Members

Ron Mears, Chairperson
Greg Johnson
Jim White

Ron Breeding, Vice Chairperson
Isaac Daniels
Clyde Shipman

Joe Smack
Brenda Bramble

Staff

Ray Bivens, Director
Greg Abbott
Laura Lee

Esther Knotts
James Wagner

Matt Ritter
Bob Ehemann

Matt Chesser
Necia Beck

Public

John Williams

I. Introductions/Announcements

- A. Chairman Ron Mears called the Council meeting to order at 9:35 a.m.
- B. Park Superintendent Laura Lee gave an overview of Auburn Heights Preserve

II. Executive Session

- A. Session began at 9:40 a.m.
The Council discussed pending litigation.
- B. Session ended at 10:10 a.m.

III. Official Business/Council Activities

- A. Approval of Meeting Minutes
Ron Mears asked for Council approval of the February 6, 2016 meeting minutes. Ron Breeding made a motion to approve the minutes. Joe Smack seconded the motion. The motion carried unanimously.
- B. Chairman's Report:
The Chairman welcomed staff and Council. The Chairman welcomed Natural Areas Advisory Council member John Williams.

The Chairman reported that he had attended the annual Park School. It was a tremendous and classy event. He enjoyed the history of State Parks and hearing from past directors and the former Chairman of the Parks Commission. He really enjoyed the event and thought it was well put together.

- C. Council Member Reports:
 - 1. Fort Delaware Society – *No report.*

Ron Mears read in the paper that Delaware City voted to accept Fort Delaware into Delaware City. Matt Chesser gave an overview of the master plan process and talked about the FDRC (Fort DuPont Redevelopment Corporation). The Corporation now owns everything at Fort DuPont. State agencies will determine what buildings are needed in order to perform core functions. The rest of the buildings will be turned over to the Corporation. Delaware State Parks will keep the buildings that are key to telling the story of Ft. DuPont. The buildings that are turned over to the Corporation will be fixed up or sold. The Division will work with the Corporation to build a strong partnership.

2. Natural Areas Advisory Council – *Jim White reported.*

The last meeting was held at Lums Pond State Park. The Council met with Park Superintendent Mike Moyer and Regional Administrator Gary Focht to discuss the possibility of developing natural areas in Lums Pond.

John Williams added that the Council also discussed the Costco Gas Station that is being built near the Christiana Mall. Costco is expanding into a forested area. Council also discussed DelDot's plans to build a four-lane highway through the area.

3. Wildlife Management Committee – *No report given.*

Ray stated that Environmental Stewardship Manager, Rob Line, announced his retirement effective June 30th.

4. Resident Curatorship – *Joe Smack reported.*

The couple who were looking at the Warrington House is still interested. The Division is paying for a perk test which is needed. Joe stated there may be an issue with asbestos in the house. If abatement is needed, the Division will be liable.

Joe provided an update on the Wolfe House curatorship. Mark Chura is now the Executive Director of the Sussex County Land Trust. He is working toward resolving the issues at the site.

Ray stated that the Cleaver House will be partially demolished at a cost of \$35K-\$40K. Contractors will be stabilizing the brick wall and taking the building back to the historic shell of the structure.

5. Delaware Land and Water Conservation Trust Funds – *Ron Breeding reported.*

Currently the trust fund money is split into "two pots" and is designated either for trails or for projects. Bob Ehemann is working with Greg Abbott to combine these "pots" so that money can be used without special designation.

IV. Public Comment

John Williams shared details about the *Terrain 360 Project* that is being done at the Christina River. It is a virtual tour of the Christina River. www.Terrain360.com

V. Staff Reports

1. Policy/Legislation – *Ray Bivens reported.*

The Division asked the Governor to declare June 5, 2016, Delaware State Parks Day in honor of our 65th anniversary. The Division will be waiving Parks entrance fees that day. Enterprise

Development Coordinator Caroline Foltz worked with the Delaware Economic Development Office to secure \$10,000 in sponsorship to offset the lost revenue. It's also a free fishing day.

Ray shared a Legislative Bill to allow Sunday hunting on five Sundays. It will not be mandatory for Parks to participate. However, if the Division decides to hold a special hunt on a Sunday, that would be allowed.

The Division and the City of Wilmington have had talks with a private entity about a public/private partnership at Baynard Stadium. The Division does not own Baynard Stadium; the Division manages it for the City of Wilmington as per a one-year agreement signed in 1989. The entire complex needs to be renovated including the trailers that serve as the park office. A total reincarnation of the site will be needed shortly and will cost approximately \$10M-\$15M. On May 4th, the Division had to close the "home-side" bleachers because of safety issues. The bleachers have been under "engineering watch" for many years and the Division has made some improvements. An aluminum specialist examined the bleachers and determined we would never be able to reopen these bleachers. We will need to build brand new bleachers. The cost estimate is \$800K - \$1M. The short range plan is to demolish the existing bleachers and bring in temporary bleachers until we come up with a permanent solution. Ideally, we will come up with money. Last year was a banner year with Bond Bill allotment. Our Division ended up with about \$4.1M of the \$5M allocated to the Department. We have been able to take on a lot of projects. This funding is the only reason we were able to move forward on the Killens waterpark project.

Ron Mears asked how much revenue the Division gets out of Baynard Stadium. Ray stated we get very little. It is a "pure loss" operation. At one time the Division got a "hefty general fund support" but that has been cut down significantly over the years. The Division has done a lot of major capital investment in Wilmington State Parks (swinging bridge, Brandywine Zoo, etc.). Ray has contacted the City to let them know that the bleachers are closed and that we need to start a conversation about how to fund the new ones.

Two weeks from now, the County track meet is being held at Baynard Stadium. Matt Chesser stated that the track is "on its last leg". The facility is in very bad shape. This is not the ideal location to build a new facility. Ray said five high schools hold games at this facility. It is a multi-use facility.

The Division has had very detailed conversations with the City and has requested that they transfer ownership of the zoo to the Division. Right now, if an accident happens, the zoo is a liability for the City.

Greg Johnson asked why we should continue to dump money into the property when we don't own it. He stated that a private partner could easily take over complete ownership of it and have the financial support to make improvements. Ray stated that if money was available to install a turf field, the facility would provide a lot more play and access.

John Williams suggested a long-term land lease between the City, Parks and a private partner. Greg Johnson asked if the Division wants to be in that business. He stated that, "over the years we have been sitting here and there are things that come up...good opportunities. But it seems to me, as part of the advisory Council, that you start to get spread too thin...Not only with money but expertise and things that really don't meet your core mission". Ron Mears and

other Council members agreed. Greg Johnson continued that part of the reason for that is “you guys do a great job but all of these things are going to start weighing on you.” Greg concluded by saying he, “didn’t know why you would want to be running Baynard Stadium and putting money into it.” Matt Ritter added that the staff learned how to care for the turf on their own and they do a great job. However, Park staffing has been cut by 7-8 positions and they are understaffed. He said when there are opportunities, such as this one, that do not fit core mission it would be good to “step out”. Ray stated the Council is right on target. The Division is looking at shrinking our footprint. The Division is expecting to receive \$2.5M in capital rehab (based on the Governor’s recommended budget) this year which would be a disaster for capital rehab. Currently the Deerfield roof needs \$800-\$900K in repairs and the stadium bleachers must be replaced. Temporary bleachers could cost \$400K., so \$2.5M won’t go far. The Friends of State Parks are talking to legislators about the 65th anniversary and are asking for \$6.5M to help with the back log. The Division is hoping they will be successful.

Greg Johnson closed the discussion by reiterating that private partner would have huge financial support if they were allowed to rehab the stadium. If they allowed naming rights, they would have the money needed in just a few short months. Ray said that Wilmington maintenance staff is stretched. For example, the Division manages approximately 18 miles of sidewalks for the City of Wilmington which is overwhelming during snow events.

VI. Section Updates – A handout was provided to the Council and highlights were discussed.

1. Office of Administration – *Greg Abbott reported.*
Greg highlighted several entries in the handout.

The Division hopes to expand the Veterans’ Corp to include 15 members next year.

The Division has been focusing on getting campers to extend their stay. We are running discounts and promotions in order to get people to stay an extra day. The trends are very positive.

This year for the first time ever, Killens Pond Waterpark’s food concession will be run by an outside vendor. Ray commented that this will allow us to focus on our core mission.

The Division has recently hired a photographer to attend events to take pictures that document the diversity of our park users. Greg highlighted the photos of the volunteers (page 5 & 6) and stated that we are “engaging people at all levels and demographics.”

Clyde asked if we were able to extend Hammerhead’s contract. Ray stated that we had extended Hammerhead’s contract and the Garrison’s Lake Golf Club contract. That contract will go out to bid in 7 years with the Deerfield property. Ray stated that we are still losing a lit bit of money at Garrisons Lake but that we are closing the gap. He said Four Winds is doing a great job of managing that property. Greg explained how the revenue is collected for these operations.

Ron Breeding asked if the Division purchased the store across the street from Trap Pond. Greg Abbott stated that we did buy the store and the property behind it. As part of the purchase agreement, the Division has to have a retail operations running out of the property this year to maintain our conditional use. We are searching for a vendor now.

2. Operations and Programming – *Matt Ritter reported.*

Matt highlighted several entries in the handout.

The Time Travelers program is being reintroduced. In years past, metal detectors were not allowed when doing archaeological digs. Now, the Division is reaching out to those groups, partnering with them and requesting their help with this program.

Matt introduced Necia Beck. Necia is one of the employees enrolled in the Park Management School. Matt provided an overview of Necia's responsibilities and she received an ovation for her work on the Council report.

With Environmental Stewardship Program Manager Rob Line leaving, the Division is really honing in on what the program should be. In the past, the Division had stewardship teams and the funding source was different. The funding source is no longer available so the Division must take a different approach. We are going to start focusing more on training staff and the Veterans' Team to do some of the stewardship projects. One such practice will be to return some of the mowed properties back to meadows. This is also a cost saving measure.

Chief of Interpretation Jon Wickert has been requesting responses from the public via surveys. We have been seeing positive responses.

There were actually more than 2000 tickets sold in advance for the Star Wars Day at the Brandywine Zoo (Page 15). Because of the popularity and the limited space at the Zoo, it was decided that additional ticket sales would be limited to members only. Memberships began selling and they are currently up to 1400 memberships. This will be a well-attended event and a great kick-off to the season.

The Friends of Bellevue and the Division's grant writer will each have an office in the Mt. Pleasant Meeting House once the renovation is complete.

The Holiday Light Driving Tour will be part of a larger "Winter festival" which will take place in lower Delaware in and around Lewes. Jim White and Joe Smack commented that light shows are very popular in other states.

Clyde asked for more information on the Killens Pond Campground upgrade. Matt Ritter stated that a lot of the campground is 30 amp service. The new big rigs that are using the campground are blowing circuits because they draw so much power. The Division has decided to install 50 amp service one loop per year. Through the enterprise account at Killens, two loops have already been upgraded. Staff is also installing fire pits. The visitors are really enjoying the new pits rings which are very popular.

4. Planning, Preservation and Development – *Matt Chesser reported.*

Matt Chesser shared highlights from the handout.

The Division just received \$909K in Land and Water Conservation Fund money (up from \$404K last year.) We will be using a large portion of the money on the Cape Henlopen Campground to put in some electric sites, a camp store, a playground and some other

amenities. Ray stated that we don't have playgrounds in most of our campgrounds and that is something that needs to be addressed.

The Division will be doing more "big check events" to ensure that we are getting recognized for providing funding to the communities throughout the state.

The Cape Henlopen Fishing pier is expected to be completed and reopened by Memorial Day. Matt Chesser said this is a "very pretty Band Aid" that will cost the Division \$1.1M. Part of the funding (\$360K) came from National Fish and Wildlife and approximately \$40K was given by legislators. Matt said the pier looks great but that the pilings are in really bad shape. The Division will need approximately \$1M-\$1.5M to site design and permit a new pier and we need it soon so we can be ready in 3-5 years to go to construction. The new pier will cost between \$15M and \$25M depending on where it's built. Ray said the reality is the pier may be closed in 3-5 years if we don't have funding for a new pier or additional renovations. Matt Chesser added that we may be able to find a partner to come in and build it.

Clyde asked if SPI Pharma is still using the pier. Ray said yes. The Division will need to renegotiate their contract. Their operation has been hampered by the work on the pier.

Ray invited the Council to join us and camp at the Lums Pond ribbon cutting event. He also mentioned there will be more invitations coming in the next 3 months. He added that the Holts boat ramp was the largest capital improvement we have done in the history of the park. The cost even exceeded what we paid for the entire park.

The Division is signing an agreement with Wilmington University. The University will be providing \$15K per year in sponsorship for our ocean life guard program. \$10K will come in the form of scholarships for ocean lifeguards. This should be a huge recruiting tool. The other \$5K will be cash sent to the Community Foundation to set up an endowment to help with lifeguard services.

Isaac Daniels suggested making the Parks Resources Office website bilingual or multilingual. The Division agrees that should be a goal and have been taking steps in that direction with park signage and ads in program guides.

Clyde noted that the Division is working on Phase I of the Killens Pond Waterpark renovation. He asked what work will be done in the other phases. Matt Ritter provide a quick synopsis of the work that will be done in the next four phases.

5. Outdoor Recreation, Parks and Trails (ORPT) Grants - *Bob Ehemann reported*

Four of the 7 recently approved projects have been completed including the playground projects at Fenwick Island, Ellendale and the Village of Arden as well as land acquisition for Millville's first park. Big checks were presented to Fenwick and Millville Town Councils.

The City of Wilmington has not begun construction on the Helen Chamber's project from 2009. For many years we have been amending the grant and as of yet, no money has been spent on the project. There are legitimate reasons they haven't moved forward but now are

at a point where they either need to spend the funds or give it back. In 2014, the City applied for three grants, the skate park plaza was one of those. But at that time, the City decided to “shelve” the skate park project because it wasn’t quite ready. Also at that time, the Council decided to limit the number of projects that could be funded for any one entity to three projects. Now, the City is requesting permission to withdraw the Helen Chambers project and reallocate the \$100K to the skate park project. Because they applied for the skate park plaza through the proper process, this is allowable per regulation. There has been one other time when the Division allowed funds to be moved from one project to a completely different project (Bethany Beach boardwalk funding moved to mobi mat purchase.)

Bob shared a map showing the location of the proposed skate park plaza. The plaza will be located in an abandoned site that is an eyesore. In addition to recreational opportunities, the plaza will provide many functions including access to riverfront from the Central Western part of the city.

This is a \$1M project, the City has \$850K in place:
\$250K - City’s cash contribution
\$450K – Bond Bill
\$150K – legislators’ contributions

They are requesting \$150K from the ORPT Program but we only have \$100K to give them. This property is owned by DelDot and a lease between the City and DelDOT is being finalized. The draft lease indicates a 10-year lease with two 5- year extensions. However, on the ORPT requirements is leases must be at least 25 years. The City is ready to move on this project and anticipates completion in 2016.

Clyde stated that he and Ron Breeding had discussed this situation. For all of these years, the City has been sitting on this money when other communities could have been using that money for projects they wanted to do. There is some question as to what kind of priorities are out there if this money had been available to the other communities. Ron Breeding requested that the Chairman of the Council or the Director request that the ORPT Committee get together and review the guide lines so that the Division is not “backed into a corner” in the future. Ron Breeding suggests that we don’t allow “any more than two projects by the same agency going at the same time” and we “put a cap on the money”. Bob said the Helen Chambers project is an anomaly and that most project are completed within 1 to 2 years.

Jim White asked, “what is the possibility of getting the money back?” Bob stated the money has not been distributed. Discussion ensued and Ron Breeding suggested that if a project is not started within three years, it “gets kicked out”. Clyde suggested that funding this project would help with the problem the City is having with its youth. John Williams shared a story that indicated the symptomatic issue the City is having with managing its parks. Greg Abbott asked if there is anything in the contract that says the project must be started within a certain period of time to avoid these lengthy delays. Bob stated that we have been completely generous when it comes to this project and reiterated that this is not normal. He stated usually projects are started and completed within 18 months. When applications are submitted they include a timeline of milestones and start times and bench marks all the way through from beginning to end. Bob added that now that the Division has a paralegal working on the contracts, they are very definitive and projects can’t lapse. There is a specific deadline and if they go beyond the deadline, the project is null and void. Prior to

2015, the program administrator could extend the project a year at a time. Under the new guidelines, extensions must be signed by both the Division Director and the Secretary of the Department

Ron Breeding made a motion that the City of Wilmington be allowed to move the \$100K originally committed to the Helen Chambers project to the skate plaza project with the stipulation that the project will be started within 8 months and will be completed within 18 months and that the land lease with DelDot is at least 25 years. There was discussion about whether the completion date was realistic. Greg Johnson suggested building in some flexibility on the completion date (within reason). Matt Chesser stated that the City could “cut” a piece of the project or work in phases in order to account for the \$50K they are short in the funding. Council asked about the progress on the other two projects. Bob said that both projects should be completed this year. Discussion ended, and the Chairman reintroduced Ron Breeding’s motion. Brenda Bramble seconded the motion and the Council voted unanimously to allow the transfer of funds to the skate plaza project contingent on lease period.

Isaac Daniels asked if the skate plaza was more about aesthetics or more about recreation. Bob said both. Isaac commented that there is an old skate park there and asked if this would be an extension of that park. Bob said the project will bring all new amenities. Ray stated that the City has been working with a skate community for almost a decade. Isaac didn’t realize there was a community of skaters already using the area. Jim White said it is a nice area and will bring people from outside the area in there. He thinks it will be a nice solution.

Ron Breeding stated that the ORPT committee will come back with recommendations at the next meeting.

An update on the endowment funds investment which is managed by the State Treasurer’s Office was given. The funds went into active management on July 16, 2015t (\$50,441,572) Though they have made a strong recovery, the endowment is down 1.4% as of April 30, 2016 (\$49,724,327), partially due to fees. This year DNREC will not be offering a grant cycle because we don’t want to decrease the endowment funds. The law is written that an annual draw can range from 0-5% for funding the grant program. The Department of Agriculture and Fish and Wildlife will be notified. The Division will consider another grant cycle next year.

VII. Old Business

A. The Council discussed proposed amendments to the by-laws. Chairman Mears said that he disagreed with having the elections at the end of the year (as was proposed in the draft). He thinks the elections should take place at the beginning of the year. The Chairman ask for a show-of-hands to determine which Council members preferred the elections to take place at the first meeting of the year as opposed to the last meeting. The majority of the Council preferred the first meeting of the year.

Ron Breeding questioned two statements in the proposed by-laws: “Any person who declines to announce his or her political affiliation shall also be eligible for appointment as a member of the Council” and “Failure to attend 3 consecutive regular meetings of the Council in the absence of mitigating circumstances shall be construed as a request by that member to resign from the Council and a replacement may thereafter be appointed in his or her stead.”. There was much

discussion about these statements but because both statements were taken verbatim from Delaware Code, they remained in the by-laws.

Ron Breeding made a motion to accept the proposed Council By-laws with requested changes. Joe Smack seconded the motion. The motion carried unanimously.

Elections will take place at the February 2017 meeting.

VIII. **New Business**

- A. Ron Mears asked the Council to make a recommendation that no trails or buildings will be named after individuals. He stated that the Walter S. Carpenter Park was changed to White Clay Creek because we didn't want to set that precedent. He said if someone donated \$4M that may be a special circumstance. However he doesn't feel that we should be naming facilities in honorarium. Jim White agreed. He stated that Dorothy Miller (for example) would deserve recognition but that it's a slippery slope because there will be a lot of people making requests.

In 2015, Secretary Small made the decision to name a trail in honor of retiring State Senator Venables. He thinks it was very deserving and this trail is called "the Bob" which is somewhat generic. Matt Chesser suggested "a cooling off period" when someone passes away. This would allow for reflection prior to putting someone's name on a facility within Parks. Greg Johnson asked if there are any general naming guidelines and suggested looking at other states to see what policies currently exist. He stated there is a difference between sponsorships and memorials. John Williams asked if state parks gives out awards to private citizens and suggested that may be an alternate way to recognize people.

Clyde Shipman voiced concerns about the Dogfish Head event. He is concerned that it may become unruly. In addition, the general public will not have access that day. Matt Ritter shared that Dover Downs will be running the event. The Division expects to make \$60-\$80K that day. Matt stated he has very minimal concerns about the amount of space needed for the expected 10,000 attendees. Currently the park hosts concerts with 4000+ attendees and onsite parking. For this event, attendees will not be driving their own vehicles into the park. They will park offsite and will be shuttled in and out of the park via buses or vans. Dover Downs will be responsible for cleanup and they will be providing additional enforcement. Matt stated that the contract is "solid" to protect the Division's interests. Ray stated that some of our larger events such as the Flower Market and the Arts Festival bring in more attendees than this event will. Matt Ritter mention that this one weekend will bring in the same revenue as 20 smaller events and that wear and tear on staff will be minimal. Clyde asked if the neighbors and Friends are supportive. Ray stated the Friends are thrilled.

Ron Mears asked about the second cricket pitch at Lums Pond. Matt Ritter stated that it is booked solid. The Cricket League paid to have it installed. Lums Pond continues to see increased usage.

Ray Bivens explained the new hiring process. The Department will soon start operating under a new target cap. At this time, we are unsure how the new system will change our hiring process. Ray shared that entering the peak season, the Division will be lacking an assistant marina manager, a park manager at Killens, two enforcement officers (at Lums and Wilmington), a trainer/educator at Auburn Heights and many maintenance staff. Most of the vacancies were created by retirements and people accepting other positions.

IX. Upcoming Events

- A. The next meeting of the Council will be held on August 4th and will take place at a beach park. Discussion centered-around having it at Cape Henlopen State Park so that Council members can see the repairs to the pier and the improvements to the campground.

X. Meeting Adjournment

The chairman called for a motion to adjourn. Clyde Shipman made a motion to adjourn, Joe Smack seconded the motion. The meeting adjourned at 12:18 p.m.

Note: Following the meeting, Ron Breeding, Joe Smack, Clyde Shipman and Jim White took time to meet and learn about the new Rail Bike program at NVF. This pilot program provides a new form of recreation and has proven to be very popular. It is a great opportunity for persons with disabilities to recreate along-side family and friends.